

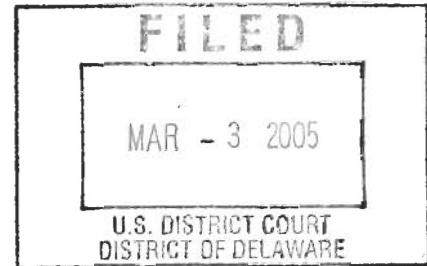
**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. 1983**

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

05-124

Kendall D. Guinn  
(Enter above the full name of the plaintiff in this action)

V.



Warden: Rick Keasney  
Commissioner: Stanley Taylor  
Bureau Chief: Paul W. Howard  
(Enter above the full name of the defendant(s) in this action)

*By mail  
IFP*

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal courts dealing with the same facts involved in this action or otherwise relating to your imprisonment?

YES [ ]      NO

- B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs \_\_\_\_\_ N/A \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendants \_\_\_\_\_ N/A \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Court (if federal court, name the district, if state court, name the county)

NJA

3. Docket Number WJA

UJA

4. Name of judge to whom case was assigned

N.Y.A.

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

NIA

6. Approximate date of filing lawsuit N/A

7. Approximate date of disposition NYA

- II. A. Is there a prisoner grievance procedure in this institution? YES  NO

- B. Did you present the facts relating to your complaint in the state prisoner Grievance procedure: YES  NO [ ]

- C. If your answer is YES,

1. What steps did you take? The first grievance was filed

On June 23, 2004 relating to these complaints

2. What was the result? Grewant went before the committee

The committee agreed with the captain on majority of the issues listed. The next channel was to the warden. Warden decision appealed to Bureau chief: Paul W. Howard

- D. If your answer is NO, explain why not N/A

NIA

- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? YES [ ] NO [ ] *No*

- F. If your answer is YES,

1. What steps did you take? N/A

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2. What was the result? 21A

### III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff Kendall Guinn

Address Sussex Correctional Institution P.O. Box 500 Georgetown, DE  
19947.

(In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions and place of employment of any additional defendants.)

B. Defendant Rick Kearney is employed as Warden:

\_\_\_\_\_ at Sussex Correctional Institution, Georgetown, De  
19447.

C. Additional Defendants Commissioner: Stanley Taylor

Bureau chief: Paul W. Howard

#### IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

I the Plaintiff Kendall Gunn have been housed in the medium building since June 2004. I filed a inmate grievance complaint on June 23, 2004. Because the plaintiff felt that the building was un-safe to housed inmates. There are two toilets and two face sinks working properly for fifty inmates who are housed on four dormitory style living area. The other toilet,

V. Relief

(State briefly exactly what you want the courts to do for you. Make no legal arguments.  
Cite no cases or statutes.)

"Plaintiff asked that the medium building be  
up graded and demolished. The amount inmates  
that are housed in this building and time consuming.  
I the plaintiff ask that medium building be upgraded  
enough to pass inspection until it can be demolished

Signed this 15<sup>th</sup> day of December, 2004.

Kendall L. Tamm  
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

December 18, 2004  
Date

Kendall L. Tamm  
(Signature of Plaintiff)